

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re

No. C 13-0252 WHA (PR)


**ORDER OF DISMISSAL**

TERRY RAY HAWES,  
Plaintiff.

On January 18, 2013, plaintiff, a prisoner of the State of California, filed a letter complaining of actions by prison employees. That day, the clerk notified plaintiff that he had not filed a complaint, and that he had neither paid the filing fee nor filed an application to proceed in forma pauperis ("IFP"). Along with the notices, the clerk mailed to plaintiff the court's complaint and IFP forms, instructions for completing the forms, and a stamped return envelope. In the notices, plaintiff was informed that the case would be dismissed if he did not file a complaint, and pay the fee or file a completed IFP application, within thirty days. More than thirty days have passed, and no response has been received. Accordingly, this case is **DISMISSED** without prejudice. *See Thomas v. Anchorage Equal Rights Comm'n*, 220 F.3d 1134, 1138-39 (9th Cir. 2000) (en banc) (federal courts are restricted by the constitution to ruling on cases or controversies). The Clerk shall enter judgment and close the file.

**IT IS SO ORDERED.**

Dated: February 28, 2013.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE